

CHAPTER 22.102 - NACIMIENTO PLANNING AREA

Sections:

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22.102.010 - Purpose and Applicability

This Chapter provides standards for proposed development and new land uses that are specific to the Nacimiento planning area defined by the Land Use Element. These standards apply to proposed development and new land uses as provided by Section 22.90.020 (Applicability), and are organized according to the specific areas and/or land use categories within the planning area to which they apply.

22.102.020 - Areawide Standards

The following standards apply in the Nacimiento planning area, where applicable.

- A. Finished floor elevations.** Within the Lake Nacimiento watershed, the first floor of a building used for habitation shall not be constructed below the 825-foot elevation.
- B. Water treatment.** Where use of lake water is authorized by the County, the treatment of lake water shall include storage, coagulation, sedimentation, filtration, and chlorination. Intake systems shall be protected to prevent contamination either by means of a closed zone or other approved method. The systems shall be designed by a registered civil engineer and approved by the County Health Department.
- C. Sewage disposal.**
 - 1. Individual sewage disposal systems.** Individual sewage disposal systems are not permitted:
 - a. On lots with an area less than 2½ acres per dwelling unit, except where a parcel is located within a cluster subdivision in compliance with Section 22.22.140 with a maximum density of 2½ acres or more per dwelling unit;
 - b. Below an elevation of 825 feet MSL;
 - c. In any case closer than 200 feet, horizontal projection, from the lake's high water elevation of 800 feet;

- d. On slopes of 30 percent or greater; or
 - e. Where percolation rates are less than one inch in 30 minutes.
2. **Substandard sewage disposal systems.** Substandard sewage disposal systems that do not meet the requirements of the building code or the Regional Water Quality Control Board shall be replaced in conjunction with any new development.

22.102.030 - Rural Area Standards

The following standards apply to all portions of the Nacimiento planning area located outside of urban or village reserve lines, in the land use categories or specific areas listed. Properties in the South Shore area of Lake Nacimiento are instead subject to Section 22.102.070.

- A. Permits - Previous approvals.** Any changes to previously-approved Conditional Use Permits require Conditional Use Permit approval.
- B. Circulation - New land divisions and Conditional Use Permit Plan projects.**
- 1. Proposals shall be integrated into areawide circulation and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.
 - 2. Road alignments shall be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes shall be replanted with indigenous plants where practical or protected by other appropriate erosion control measures.
 - 3. New projects shall include an offer of dedication for interior and abutting roads where needed for public access and circulation. Until these roads are accepted for public use, maintenance shall remain the responsibility of the involved property owners.
 - 4. New developments shall include, where possible, design provisions for combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.
 - 5. New developments shall provide for safe and site-sensitive pedestrian and bike circulation facilities in the design of roads where feasible.
- C. Density calculations - Usable area.** In the Lake Nacimiento watershed only land above the 800-foot elevation shall be used when computing density or minimum building site area.

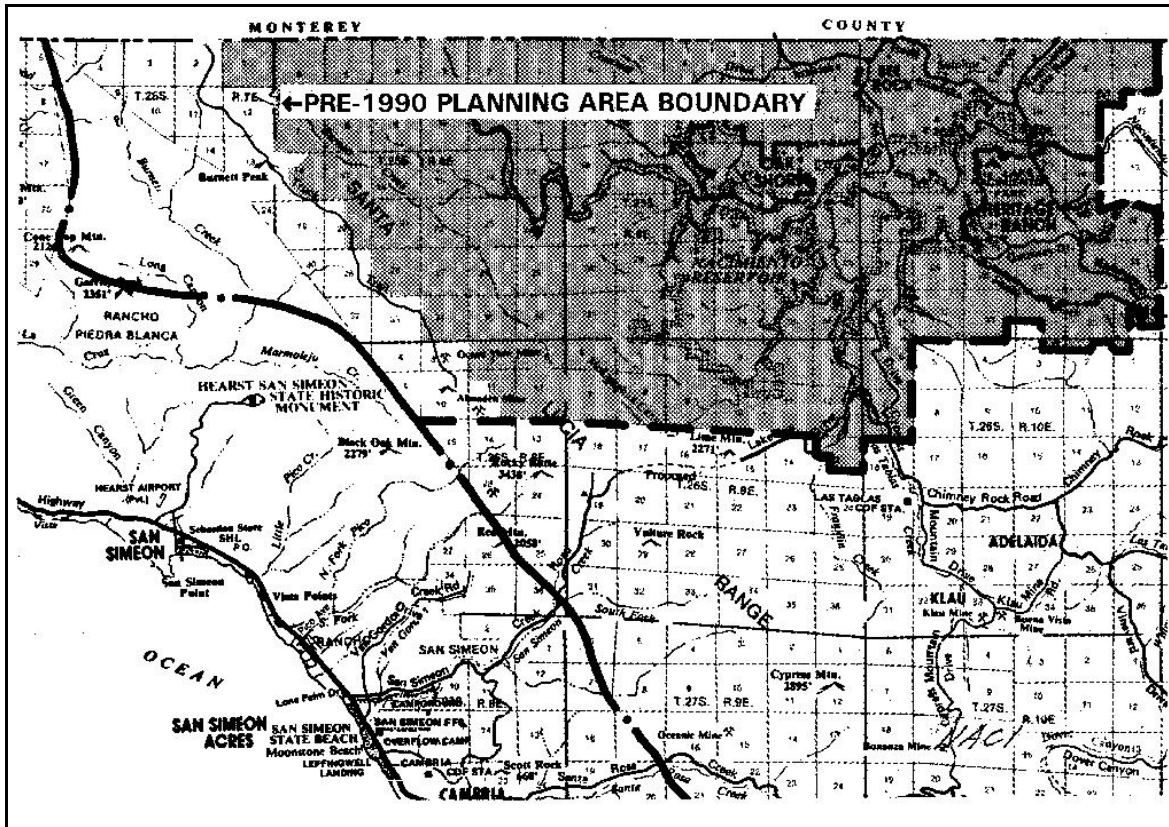


Figure 102-1 - Existing and Pre-1990 Nacimiento Planning Area Boundaries

D. **Easterly of the Santa Lucia Range.** The following standards apply only to the area east of the Santa Lucia Range corresponding to the pre-1990 boundaries of the Nacimiento Planning Area as shown in Figure 102-1.

1. **Open space preservation.** Approval of an application for land division, Site Plan, Minor Use Permit, or Conditional Use Permit is contingent upon the applicant executing an agreement with the County to maintain portions of the site not intended for development in open space use. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantees are not to grant public access unless desired by the property owner.
2. **RV parks - Location criteria.** Proposed recreational vehicle parks should be located within one mile of a road improved to County standards.
3. **Public recreation.** Future public campgrounds or picnic areas shall be designed and located in compliance with the densities and location specified in Figure 3-1 and Table C (Chapter 3) of the Nacimiento Area Plan.

4. **Sloping Sites.** Conditional Use Permit proposals for sites with varied terrain shall include design provisions for concentrating developments on moderate slopes, retaining steeper slopes that are visible from public roads undeveloped where practical except that outside of the pre-1990 planning area boundaries as shown in Figure 102-1, steeper slopes that are visible from public roads shall be kept undeveloped.
- E. Utility services - Undergrounding with Conditional Use Permit projects.** All projects requiring Conditional Use Permit approval (including commercial and residential uses fronting the shoreline) shall provide for utilities being placed underground unless the Commission determines either that: the proposed development will be of low intensity or in an isolated location; or that supporting overhead utilities will not be visible from public roads; or that overriding operational, economic or site conditions of the project warrant waiver of this requirement.
- F. Site selection criteria.** New development shall be located to not be visible from Highway 1, as follows:
1. Sites shall be selected where hills and slopes would shield development, unless no alternative location exists or the new development provides visitor-serving facilities; and
 2. New development shall be located so that no portion extends above the highest horizon line of ridgelines as seen from Highway 1.
- G. Sensitive Resource Area (SRA).** Projects requiring Conditional Use Permit approval within the SRA combining designation shall concentrate proposed uses in the least sensitive portions of properties. Native vegetation shall be retained as much as possible.
- H. Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.
1. **Bee Rock - Area of use.** Future development, expansion or alteration of the Bee Rock store shall not exceed one acre in total area.
 - a. Minor Use Permit approval is required for all allowable uses.
 - b. Access to the site shall be from Bee Rock Road.
 - c. Curbs and gutters are not required but ingress and egress shall be defined by landscaping or barricades.
 2. **North Entrance to Oak Shores.** The following standards apply only to the approximately three-acre portion of Assessor's Parcel Number 80-021-42 located on the west side of Oak Shores Drive adjacent to its intersection with Lynch Canyon Drive at the north entrance to the Oak Shores community as shown in Figure 102-2.
 - a. **Limitation on use.** Land uses shall be limited to convenience and liquor stores, gas stations, general retail, grocery stores, and offices (real estate offices only), in compliance with the land use permit requirements of Section 22.06.030.

- b. **Permit requirement.** Minor Use Permit approval is required for new development, unless Conditional Use Permit approval would otherwise be required by this Title for a particular use. The Review Authority shall adopt conditions of approval that provide for the preservation of trees to the maximum extent feasible.

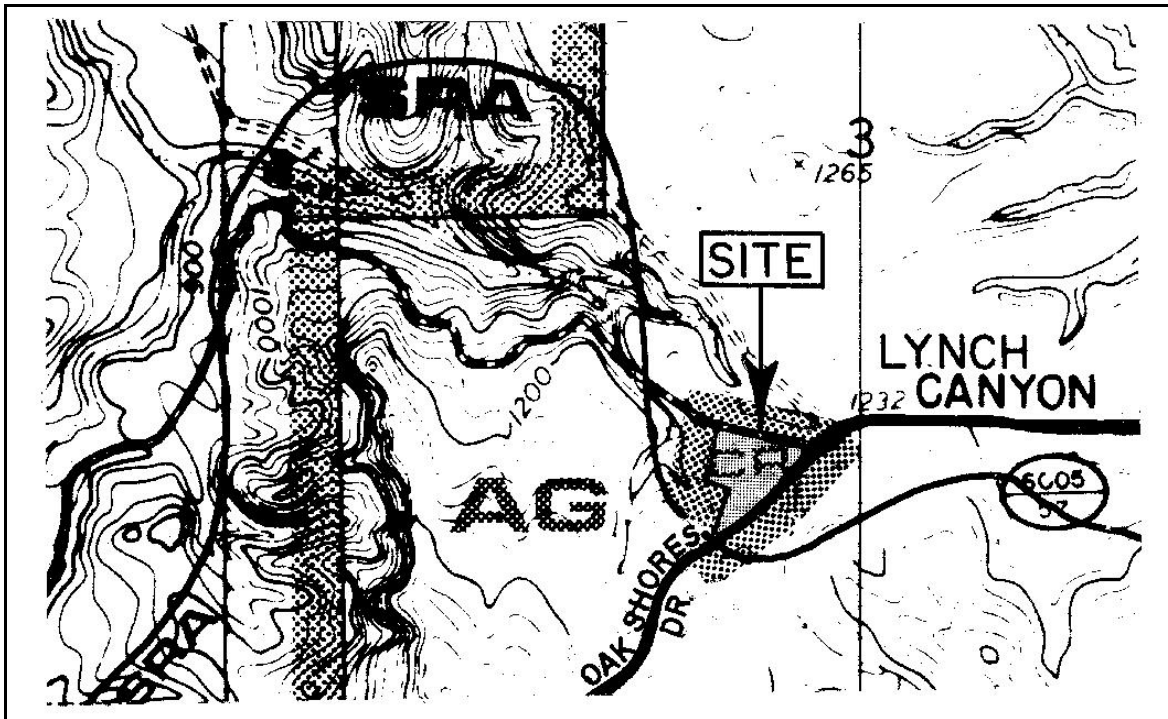


Figure 102-2 - CR Land Use Category at North Entrance to Oak Shores

- I. **Recreation (REC) - Limitation on use - Bee Rock.** Within the Recreation land use category at Bee Rock (Sections 13, 23 and 24 in T25S, R9E, and Section 18 in T25S, R10E), all uses identified by Section 22.06.030 as allowable, permitted, or conditional within the RR land use category may be authorized subject to the land use permit requirements of that Section, except multi-family dwellings, all uses listed by Table 2-2, Section 22.06.030 in the Retail Trade use group, financial services, health care services, personal services, storage yards and sales lots, hotels and motels. [Amended 1982, Ord. 2112]
- J. **Residential Rural (RR) - Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except nursing and personal care.
- K. **Rural Lands (RL) - Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except correctional institutions.

22.102.040 - Heritage Ranch Village Area Standards

The following standards apply within the Heritage Ranch village reserve line, specifically to the Heritage Ranch project.

A. Communitywide standards. The following standards apply within the Heritage Ranch project, regardless of the applicable land use category.

1. **Permit requirement - Previous approvals.** Within Heritage Ranch and Lake Nacimiento Resort, any changes to previously approved Conditional Use Permits or Development Plans require Conditional Use Permit approval.
2. **Specific Plan.** The Land Use Element, Nacimiento Area Plan and this Chapter serve as the Specific Plan for development of Heritage Ranch in compliance with Government Code Sections 66450 et seq. and 66474.5 et seq.
3. **Limitation on residential units.** The total number of residential units (including existing RV sites) allowed at Heritage Ranch shall be 2,900.
4. **Phasing plan.** Residential development shall proceed according to the phasing plan and schedule shown in Figure 102-3 as revised by General Plan amendment G840625:1, and in compliance with the conditions of approval of Development Plan D810313:2.
5. **Circulation standards.** Applications for proposed development and new land uses within the Heritage Ranch project shall include provisions for the following.
 - a. Providing the County with irrevocable offers of dedication and construct all streets and roads. Collector streets shall be maintained by the Heritage Ranch Homeowner's Association until such time as they are accepted for public maintenance. Local streets shall be maintained by Heritage Ranch Homeowner's Association or considered for maintenance under a zone of benefit within the applicable governmental jurisdiction.
 - b. Connecting the trails in the Heritage Village area to the main trail system around Lake Nacimiento when implemented.
 - c. Constructing the segment of Heritage Road between the Heritage marina campground and the northern condominium site prior to completion of any development north of the campground.
 - d. Development, subdivision or construction which generates additional traffic contributing to a proportional share of the cost to fund road improvements necessary to mitigate traffic impacts to Lake Nacimiento Drive, either as part of discretionary approvals or upon adoption of an ordinance establishing road improvement fees.

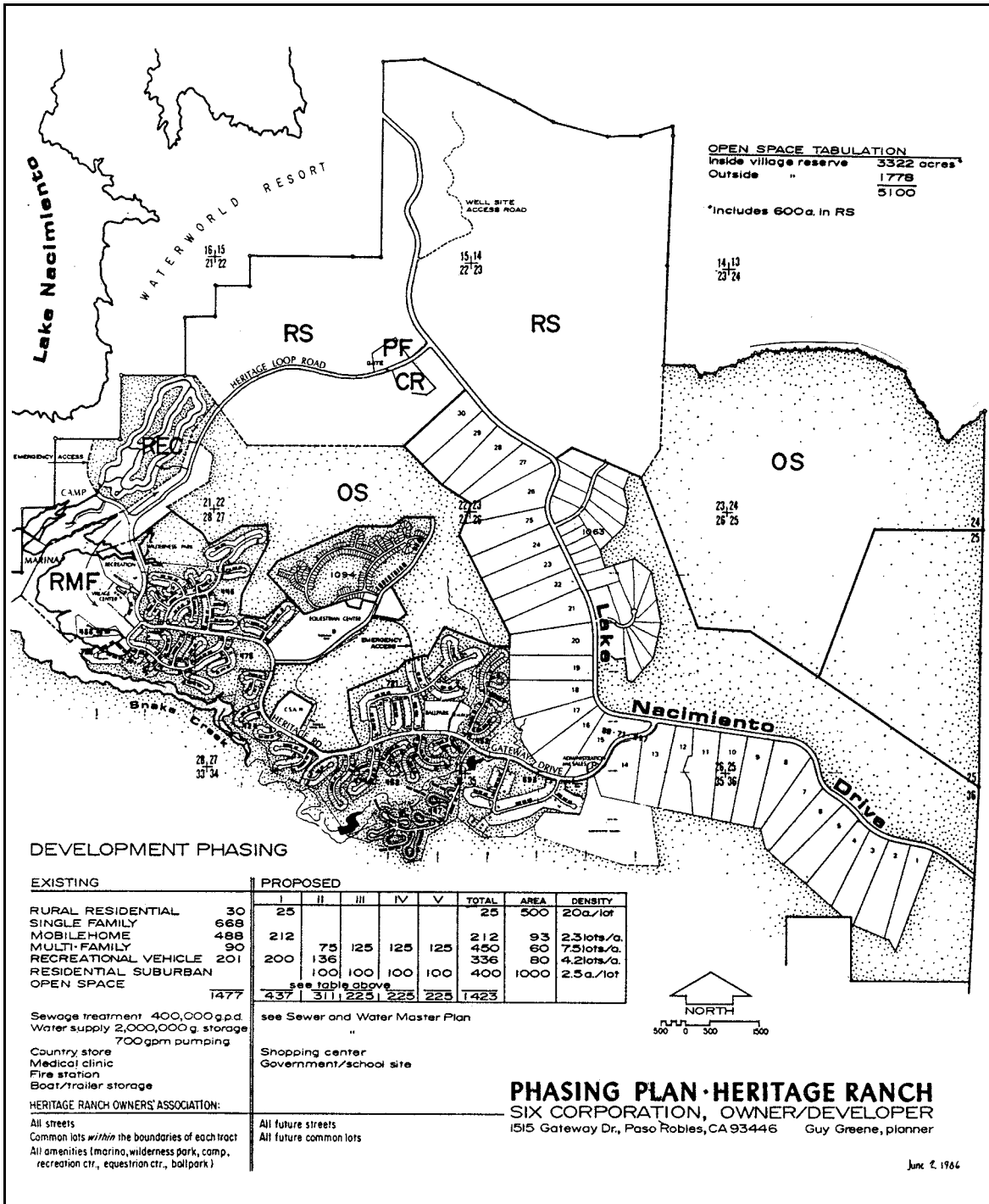


Figure 102-3 - Heritage Ranch Phasing Plan

7. **Water resources.** Water for development shall be supplied through negotiated contracts with the San Luis Obispo County Flood Control and Water Conservation District for purchase of Lake Nacimiento water.
8. **Water consumption.** As each new phase of development is proposed, the applicable land use permit or land division application shall include a tabulation of existing water use within the total project and an estimate of the amount of water needed to supply the proposed new development. This data shall be reviewed and approved by the County Public Works and Planning and Building Departments prior to approval of the development application.
9. **Water resource monitoring.** The applicant shall submit figures showing the total amount of water being used in the project to the County Public Works and Planning and Building Departments for evaluation as part of the annual review of the General Plan.
10. **Site planning and development standards.** Proposed development shall be designed and constructed in compliance with the following standards.
 - a. **Snake and Dip Creeks.** Retain Snake and Dip Creeks in their natural state, except for stock ponds and low intensity recreational uses such as trails and picnic areas.
 - b. **Vegetation Protection.** Site new development to avoid areas of dense brush and oak woodland vegetation.
 - c. **Slopes.** Site new development to avoid areas with slopes exceeding 30 percent.
 - d. **Use Limitation.** No mobile home, recreational vehicle, tent or other temporary living quarters shall be located on any lot not specifically authorized for such use.
 - e. **Setback.** Provide a minimum open space setback of 500 feet from the centerline of Lake Nacimiento Drive for all development parcels, fences, and primary and accessory structures.
 - f. **Tree Protection.** Restrict removal of trees which measure more than eight inches in diameter at four feet above existing grade to proposed road right-of-ways, parking areas, and building pads, except where authorized by an approved Zoning Clearance, Minor Use Permit, Conditional Use Permit, or Tree Removal permit.
 - g. **Tree removal permits.** Tree removal permits shall be reviewed by the Architectural and Environmental Control Committee for the Heritage Ranch development prior to issuance by the Department.
 - h. **Parking.** Provide a minimum of two parking spaces, one of which shall be covered, for each new residential unit in a new development.
 - i. **Previous Use Permits.** Design proposed development in compliance with any applicable conditions of approval of previously approved Conditional Use Permits or new Conditional Use Permits.

- 11. Subdivision standards.** The following standards apply to all new land divisions.
- a. Limitation on further subdivision.** Further division of existing parcels created by Tracts 424, 446, 447, 452, 466, 474 and 475 is prohibited.
 - b. Deed restrictions for slopes.** New land divisions shall provide deed restrictions on building sites to limit building to areas with slopes less than 30 percent.
 - c. Clustering requirement.** New land divisions shall be designed in compliance with the cluster division provisions of Section 22.22.140.
 - d. Fire hydrants.** Fire hydrants shall be provided by the developer at locations approved by the California Department of Forestry between development clusters.
 - e. Common ownership lots.** All lots designated as common ownership lots within any subdivision shall be placed in trust with an approved title company for conveyance to the Heritage Ranch Property Owner's Association by grant deed. These lands and facilities shall be conveyed to the association, and shall be offered for dedication to the County for acceptance and administration by County Service Area No. 19 in the event that the property owner's association does not fulfill the commitments set forth in its articles of incorporation and bylaws.
 - f. Required open space.** New land divisions shall maintain an open space area of 5,100 acres including contiguous areas of the ranch outside and adjacent to the village reserve line. Compliance with the required open space area and its configuration shall be reviewed with each application, which shall include a tabulation and map of open space area that complies with this standard.
 - g. Parking.** New land divisions shall provide additional boat trailer parking as determined to be needed for current demand and the proposed subdivision, to be located at the Heritage Ranch Owners Association site. Additional off-street guest and R.V. parking spaces shall be provided as determined to be needed within each subdivision. [Amended 1986, Ord. 2270]
- 13. Height limitations.** Two-story structures are allowed in Tracts 452 and 474 only on the following lots:
- a. Tract 452:** Lots 21-38, 49-55, 58-66, 91-97, 115-118, 140-143, 150-154, 159-199, 207-230, 225-260, and 273.
 - b. Tract 474:** Lots 1-45.
- 14. Building permits.** No grading or Building Permit shall be issued until the applicant has filed with the Department certification that the Architectural and Environmental Control Committee for Heritage Ranch as it then exists and functions, has:
- a.** Reviewed pertinent plans and specifications and any applicable Zoning Clearance, Site Plan Review, Minor Use Permit, or Conditional Use Permit; and

- b. Approved or disapproved the plans and specifications.

If the Architectural and Environmental Control Committee has disapproved the plans and specifications, the certification shall set forth the reasons for disapproval. The Review Authority shall review the reasons for disapproval of the plans and specifications by the committee. The Review Authority is not bound by any decision of the committee, and may grant permits and approvals in compliance with these provisions.

B. Commercial Retail (CR). The following standards apply within the CR land use category.

- 1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CR land use category may be authorized in compliance with the land use permit requirements of that Section, except: auto, mobile home and vehicle dealers (supplies sales allowed); outdoor sports and recreation; and multi-family dwellings.

[Amended 1983, Ord. 2133; 1989, Ord. 2399.]

- 2. **Sign standards.** Signs shall be located on building facades at consistent locations rather than on roofs, and shall be integrated into the architecture of the building.

C. Open Space (OS). The following standards apply within the OS land use category.

- 1. **Limitation on use.** Land uses shall be limited to: a single shooting range, equestrian facilities and incidental camping, hiking and riding trails, picnic areas; grazing and other agricultural uses; public utility facilities; communication facilities; and pipelines and transmission lines, in compliance with the land use permit requirements of Section 22.06.030.

[Amended 1983, Ord. 2133; 1989, Ord. 2399.]

- 2. **Limitation on use - Open space lots.** Use of the open space lots in Tracts 424, 446, 447, 452, 466, 474, and 475 shall be limited to hiking and riding trails, and approved facilities for recreational, drainage, and utility purposes. These lots shall be retained in permanent open space. Open space lots in future subdivisions shall be subject to this Limitation on use.

[Amended 1982, Ord. 2112.]

D. Recreation (REC). The following standards apply within the REC land use category.

- 1. **Limitation on use.** Land uses shall be limited to the following in the areas shown, in compliance with the land use permit requirements of Section 22.06.030.
 - a. Within the recreational vehicle subdivisions, recreational vehicles and appurtenant uses subject to Subsection D.2.
 - b. Within the marina/launch ramp area, marinas, boat access areas, vehicle storage and outdoor sports and recreation.

- c. A guest ranch with a public restaurant, organizational camps, outdoor sports and recreation, rural recreation and camping.
 - d. Within the recreational vehicle storage complex, vehicle storage.
 - e. Within the recreational centers, public assembly and outdoor sports and recreation.
 - f. The equestrian center, wilderness, family, and ball parks - outdoor sports and recreation. [Amended 1983, Ord. 2122; 1986, Ord. 2270; 1989, Ord. 2399.]
- 2. Site development standards - New RV lots.** New applications for recreational vehicle subdivisions are subject to the following standards. [Amended 1986, Ord. 2270.]
- a. A comprehensive grading, drainage and landscaping plan shall be submitted with the application, providing a minimum of 1,250 square feet of reasonably flat area per lot.
 - b. The tentative tract map shall include CC&Rs that require use of a consistent design and appropriate maintenance on all on-site storage structures.
 - c. Each new RV lot shall have a minimum area of 2,500 square feet.
- 3. Boat trailer parking.** Prior to recordation of a Final Map for a recreational vehicle subdivision, or under a bonding agreement, additional area for boat trailer parking shall be provided as close to the marina as possible. If authorized by the Heritage Ranch Owners Association (HROA), the site shall be located upon land owned by or to be deeded to HROA sufficient to serve the needs of Heritage Ranch residents and guests when it is built out to 2,900 units. This parking facility/or facilities shall be constructed as required by the County based upon current demand and the proposed number of units to be developed. If this parking area consumes camping sites now used by the Heritage Ranch Owners Association, the developer shall replace such sites with equivalent land from another area near the subject property and develop them with equivalent water supply, sanitary and other facilities.

[Amended 1986, Ord. 2270.]

- E. Residential Multi-Family (RMF) - Limitation on use.** Land uses shall be limited to multi-family dwellings, residential accessory uses, and home occupations, in compliance with the land use permit requirements of Section 22.06.030.
- F. Residential Rural (RR).** The following standards apply within the RR land use category.
- 1. Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, animal keeping and agricultural uses, in compliance with the land use permit requirements of Section 22.06.030.
 - 2. Limitation on land division.** Lots existing on the effective date of the Land Use Element shall be maintained at their present size without further land divisions.
 - 3. Minimum parcel size.** The minimum parcel size for new land divisions is 20 acres.

4. **Setbacks.** All new structures shall be set back a minimum of 500 feet from the centerline of Lake Nacimiento Drive.
5. **Sales complex.** Use of the sales complex shall be terminated on July 16, 1982 unless the Commission extends the required date for removal. Conversion of the complex to any other use shall be authorized through Conditional Use Permit approval. If the complex shall be converted to residential use, it will be included in the maximum allowable 4,000 units.

G. Residential Single-Family (RSF). The following standards apply within the RSF land use category.

1. **Limitation on use - Single-family dwellings.** Land uses in Tracts 424, 446, 452 and 474 shall be limited to single-family dwellings, residential accessory uses, and home occupations, in compliance with the land use permit requirements of Section 22.06.030.
2. **Limitation on use - Mobile homes.** Land uses in Tract 475 shall be limited to mobile homes, residential accessory uses, and home occupations in compliance with the land use permit requirements of Section 22.06.030.
3. **Subdivision design.** Proposed subdivisions shall provide open space areas, with uses limited to agricultural uses, hiking and riding trails and facilities for drainage, parking, and utilities.

[Amended 1989, Ord. 2399.]

H. Residential Suburban (RS). The following standards apply within the RS land use category.

1. **Subdivision design.** New subdivisions shall be designed to provide for continuous looped hiking and riding trail circulation within open space lots and street alignments.
2. **Subdivision fencing.** New applications shall include a plan and specifications for uniform lot perimeter fencing. The responsibility for the construction of the fencing shall be incorporated into the CC&Rs. This fencing shall be maintained under responsibility of the owner associations through CC&Rs.
3. **Limitation on use - Open space lots.** Use of the open space lots in new land divisions shall be limited to agricultural uses, biking and riding trails, and approved facilities for recreation, drainage and utility purposes. These lots shall be retained in permanent open space use.
4. **Open space retention.** New land division and development applications shall provide for retention 60 percent of the total acreage in the RS land use category in open space.
5. **Soils reports.** New land division and Conditional Use Permit applications shall include a soils report on the feasibility of on-site sewage disposal systems, if these systems are proposed. [Amended 1986, Ord. 2270.]

22.102.050 - Lake Nacimiento Resort

The following standards apply within the Heritage village reserve line, to all land use categories within the Lake Nacimiento Resort project.

- A. Specific Plan included by reference.** The 1976 Lake Nacimiento Resort Specific Plan is hereby incorporated into this Title as though it were fully set forth here. All development within the Lake Nacimiento Resort shall be in conformity with the adopted Specific Plan. In the event of any conflict between the provisions of this Chapter and the Specific Plan, this Chapter shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan.
- B. Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the applicable land use categories may be authorized in compliance with the land use permit requirements of that Section, except sports assembly, and public assembly and entertainment.
- C. Permit requirement.** Any changes to previously approved Conditional Use Permits or Development Plans require Conditional Use Permit approval. Conditional Use Permit approval is required prior to any new construction. Subsequent projects consistent with the approved Conditional Use Permit are subject to the permit requirements of Section 22.06.030.
- D. Resort entrance.** Resort entrance facilities shall be expanded to eliminate traffic congestion on the entry road and at the entry on Lake Nacimiento Drive prior to approval of any additional Conditional Use Permits.
- E. Sewage treatment.** The previously approved sewage treatment plant shall be constructed in accordance with the Specific Plan prior to approval of any additional Conditional Use Permits.
- F. Circulation.** All roads within Lake Nacimiento Resort shall be improved and maintained by the developer.

22.102.060 - Oak Shores Village Area Standards

The following standards apply within the Oak Shores village reserve line, to the land use categories and specific areas listed.

A. Communitywide standards. The following standards apply within Oak Shores, in all land use categories, as applicable.

1. **Specific plan.** The Land Use Element, Nacimiento area plan, and this Chapter serve as the Specific Plan for the development of Oak Shores in compliance with Government Code Sections 66450 et seq. and 66474.5 et seq.
2. **Limitation on residential units.** The maximum allowable number of dwelling units within the Oak Shores village reserve line shall be 1,786, including RV sites and all tracts existing and recorded as of the effective date of the Land Use Element. See Figure 102-4 for the allocation of units. The number of allowed units is further allocated to individual properties by the adopted Oak Shores Phasing Plan.

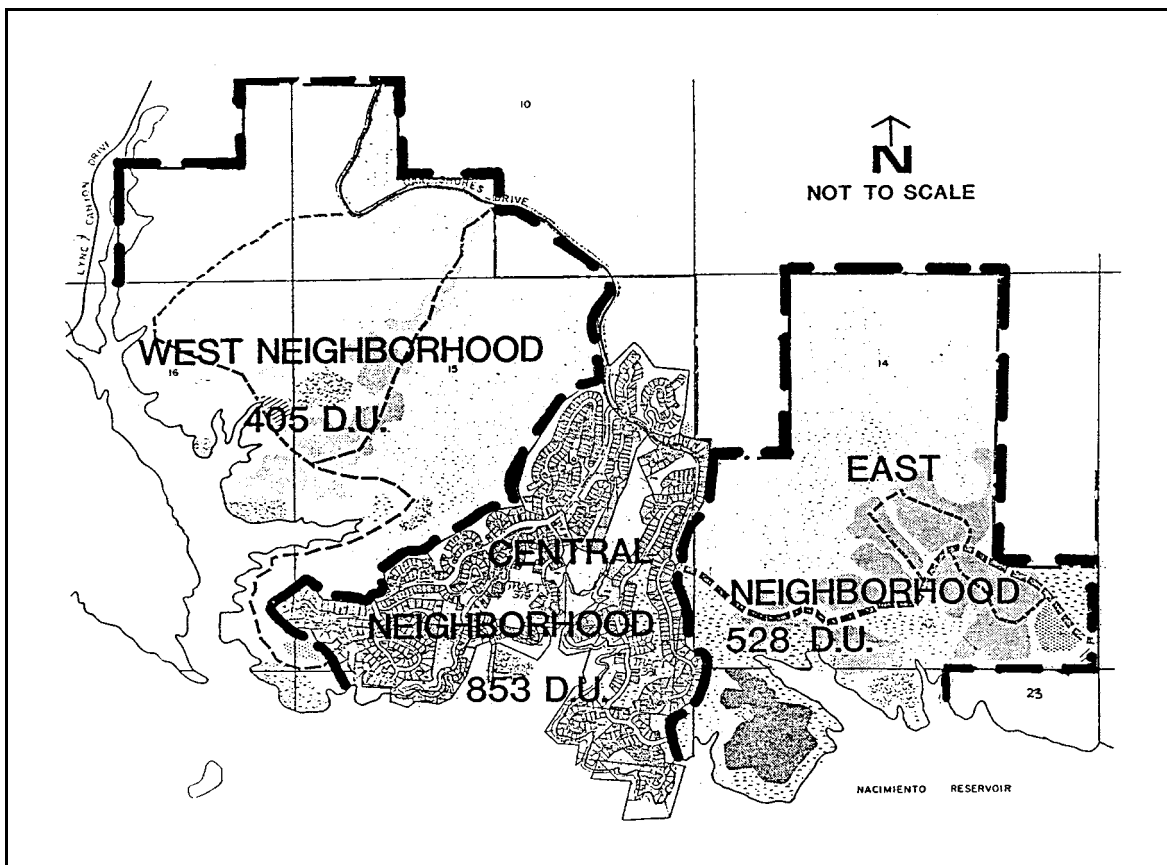


Figure 102-4 - Dwelling Unit Allocations for Oak Shores Neighborhoods

3. **Permit requirement - Previous approvals.** Any changes to previously approved Conditional Use Permits shall require Conditional Use Permit approval.

4. **Consistency with phasing plan.** Subdivision and land use permit applications for projects within the village area shall not be approved unless they are consistent with the Oak Shores Phasing Plan, as approved or amended in compliance with the Conditional Use Permit process (Section 22.62.060).
5. **Residential development prior to approval of phasing plan.** In land use categories allowing the construction of residences, no more than four residences shall be constructed on any building site prior to approval of the village phasing plan required by Subsection A.4 above, subject to Zoning Clearance.
6. **Circulation standards.** All streets shall be built to County standards and offered for dedication. Ownership and maintenance of collector streets shall remain the responsibility of area residents until the County accepts the offer of dedication and assumes maintenance responsibility. If local streets are to be potentially maintained, funding of maintenance shall be considered under a zone of benefit within the applicable governmental jurisdiction.
7. **Water resources.** Water for development shall be supplied through negotiated contracts with the San Luis Obispo County Flood Control and Water Conservation District for purchase of Lake Nacimiento water.
8. **Water consumption.** As each new phase of development is proposed the applications to be included in a tabulation of existing water use within the total project and an estimate of the amount of water needed to supply the proposed new development. This data shall be reviewed and approved by the County Public Works and Planning and Building Departments prior to approval of the development application.
9. **Water resource monitoring.** The applicant shall submit figures showing the total amount of water being used in the project to the County Public Works and Planning and Building Departments for evaluation as part of the annual review of the General Plan.
10. **Site development standards.** The following site design criteria apply to all development.
 - a. **Tree and vegetation removal.** Only trees and other vegetation that are located in proposed road rights-of-way, parking areas, and building sites may be removed. No other trees or vegetation shall be removed unless required by Section 4105 of the California Public Resources Code for fire protection, or the enhancement of the natural environment by means of pruning and thinning native vegetation. All free standing trees and the outline of all groves of trees and clumps of shrubs shall be clearly indicated on proposed Conditional Use Permits. Aerial photos may be used as the basis for defining these areas on plans.

- b. **Landscape plans.** Landscape plans are required of all developments. Such plans and proposed plant species shall be reviewed for their enhancement of the area and their compatibility with the environment and native vegetation. Plant species shall also be reviewed for potential fire hazard. Plans for fences, walls, and other minor structures, including signs, indicating the location, area, height, elevations, and material shall be submitted with the landscape plans for review and approval.
 - c. **Architecture.** The architectural character of all structures shall be rustic western ranch styling reflecting a rustic or wood-like character. All styles will reflect a design appropriate to resort area living. A rustic western ranch theme is required of all public recreation and commercial uses.
11. **Architectural and design controls.** The following standards apply to all lots in the existing subdivisions, Tracts 378, 379, 380 and 381:
- a. Construction of any building or structure must be fully completed within 18 months once the foundation is erected. No residence shall be occupied until the exterior is completely enclosed. No structure, permanent or mobile, on a lot shall be lived in during construction of a residence without prior approval of the Tract Committee and the County.
 - b. Only one residence of 800 square feet minimum shall be constructed on each residential lot. Any structure on posts must have a minimum of 60 percent solid area surface covered to grade. No fencing wall or hedging will exceed 7 feet in height, nor will any landscaping be placed to obstruct or diminish views. No white or shiny roofing materials will be used; fire resistant materials are encouraged.

[Amended 1982, Ord. 2112; 1983, Ord. 2133; 1985, Ord. 2226.]

- B. Commercial Retail (CR) - Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030 (Allowable Land Uses and Permit Requirements).
- 1. **West (tennis) neighborhood** - Convenience and liquor stores, gas stations, general retail, grocery stores, and personal services.
 - 2. **East (equestrian) neighborhood** - Convenience and liquor stores, gas stations, and grocery stores.
- C. Open Space (OS).** The following standards apply within the OS land use category.
- 1. **Limitation on use.** Land uses within areas designated for open space shall be limited to riding and hiking trails, and utilities, in compliance with the land use permit requirements of Section 22.06.030.

2. **Open space administration.** All areas shown as open space within the village reserve line (excluding lands owned by the Bureau of Land Management, Monterey County Flood Control and Water Conservation District, or other comparable agency) shall be retained as open space.
- D. Public Facilities (PF) - Permit requirement.** Minor Use Permit approval shall be required for all uses proposed on the area of Lot 3, Tract 1293 near Lakeview Drive within the PF land use category, unless Conditional Use Permit approval is otherwise required by this Title.
- E. Recreation (REC).** The following standards apply within the REC land use category.
1. **Limitation on use.** All allowable uses may be permitted in compliance with the land use permit requirements of Section 22.06.030 except for the following, which are not permitted in the areas noted:
 - a. **Equestrian center.** RV parks, airfields, vehicle storage and service stations.
 - b. **The marinas.** Off-road vehicle courses, hotels, motels and vehicle storage.
 - c. **Recreation centers and parks.** Convenience and liquor stores, general retail, grocery stores, personal services, off-road vehicle courses, hotels and motels, RV parks, or any transportation use.
 - d. **Campground and storage yard.** Allowable uses are limited to recreational vehicle campground; RV, boat and vehicle storage yard with accessory storage structures; caretaker residence; and fuel sales. Access to these uses shall be limited to the existing road. [Amended 1984, Ord. 2190.]
 2. **Cal Shasta property (APN 80-062-04).** The development potential for this property shall be transferred into the residential clusters. The property shall then be retained in open space, with its preservation being guaranteed by agreement, easement, contract or other appropriate instrument. [Amended 1985, Ord. 2226.]
 3. **Design, development and maintenance.** Recreational facilities shall reflect ranch-type design characteristics and be of a rustic, wood-like nature. Facilities shall be built by the developer and operated and maintained by the Oak Shores Homeowner's Association (or other comparable entity).
- F. Residential Single-Family (RSF).** The following standards apply within the RSF land use category.
1. **Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, and religious facilities, in compliance with the land use permit requirements of Section 22.06.030.

2. **Subdivision design.** The following standards apply to new subdivisions proposed in the east and west neighborhoods outside Tracts 378 through 381.]
- a. **Slope limitations.** Site new land divisions and development in areas with a slope of less than 30 percent, unless parcels having an average slope steeper than 30 percent would have unobtrusive visual impact as seen from public streets, the lake and surrounding development and minimal site disruption for access and impact on adjacent properties.
 - b. **View orientation.** New residential lots shall be sited so primary views from the parcels are oriented to existing or proposed undeveloped areas (including Lake Nacimiento).
 - c. **Street layout.** On slopes greater than 20 percent, street systems shall be designed to avoid multiple rows of streets tiered on the hillside.
 - d. **Protection of native vegetation.** New parcels and development shall be sited where possible to avoid areas of dense brush and oak woodland vegetation, and locate building sites along ridges or hilltops where development would not be silhouetted against the sky, as seen from existing and proposed collector and arterial streets.
 - e. **Fire hydrants.** Fire hydrants shall be provided by the developer at locations between development clusters as approved by the California Department of Forestry.
 - f. **Open space areas.** Provide open space areas within and adjacent to subdivisions, with uses limited to hiking and riding trails, agricultural uses and facilities for drainage, access parking and utility purposes.
 - g. **Setback requirements.** Maintain a setback of at least 100 feet from the right-of-way of Oak Shores Drive, from the northerly village reserve line to where the road enters the existing central neighborhood.
 - h. **Access corridors.** New subdivisions shall provide access corridors to open space areas through or at the edge of clustered lots. Improved trail systems shall also be provided to and through open space areas that provide visual amenities and link residential and public areas. Maintenance shall be the responsibility of the Owners' Association.
 - i. **Design review.** On lots where a proposed structure may be visible uphill from other structures or from the lakefront, the tract architectural review committee shall review the proposed building to ensure that building design and landscape buffering adequately screen and minimize its appearance as seen from below.

[Amended 1985, Ord. 2226; 1986, Ord. 2289.]

3. **Density.** Residential development shall not exceed a net density of six units per acre.

4. Development standards - Specific tracts. The following standards apply only to Tracts 378, 379, 380 and 381.

- a. All residences shall have a minimum floor area of 800 square feet of enclosed living area, excluding sun porches, patios, garages or carports. Yard setbacks shall be as prescribed on the recorded subdivision maps.
- b. The siting and construction of proposed building foundations shall be reviewed and approved by the Building Official on the following lots:

Tract 378

Lots 14, 15, 18-22, 26, 28, 29, 40, 41-45, 61-63, 66-70, 76, 126-128.

Tract 379

Lots 1-3, 5, 6, 11-16, 34, 35, 38-40, 70-77, 97-105, 111-116, 123, 124, 130, 133-164, 172, 175-181, 183-185, 187-210.

Tract 380

Lots 1-10, 12-37, 49, 51, 60, 63, 64, 71-79, 89, 90, 94, 95, 108-119, 129-113, 137, 138, 141-143, 169-172, 175-179, 181-184, 186-192, 195, 200-206.

Tract 381

Lots 1, 2, 11, 12, 20-31, 33, 37-47, 51-60, 63, 64, 72, 76-89, 91-110, 112, 113, 121, 126-136, 152-166, 170-176, 178-187, 190, 192-210, 225, 227-232, 244, 252-261, 267-287, 291-294.

5. Building Permits - Tracts 378, 379, 380 and 381. No grading or Building Permit shall be issued until the applicant has filed with the Department certification that the Tract Committee for the Oak Shores Subdivision as it then exists and functions, has:

- a. Reviewed pertinent plans and specifications and any applicable Zoning Clearance, Minor Use Permit or Conditional Use Permit; and
- b. Approved or disapproved such plans and specifications.

If the Tract Committee has disapproved the plans and specifications, the certification shall set forth the reasons for disapproval. The Review Authority shall review the reasons for disapproval of the plans and specifications by the committee. The Review Authority is not bound by any decision of the committee, and may grant permits and approvals under these provisions.

6. Road impact mitigation payment. Prior to the issuance of Building Permits for lots in Tracts 1291, 1293 and 1294, the remaining 1/3 payment for G-14 road impact mitigation shall be paid to the County Public Works Department.

7. Site Plan requirement. No grading or construction permit shall be issued for building sites on Lot 2 of Tract 1293 until the following conditions are met.

- a. For the eastern-most building site, a Minor Use Permit shall be required for the primary residence and any accessory structures. The Minor Use Permit shall propose locating the residence and any accessory structures such that oak tree removal and visual impacts from the development are minimized. A secondary dwelling constructed concurrently with, or after, construction of the primary dwelling and meeting the standards set forth in Section 22.30.470 is not subject to the Minor Use Permit requirement.
- b. For the western-most building site, a report by a registered Engineering Geologist and a Registered Professional Engineer with expertise in soils engineering shall be reviewed and approved by the Public Works Department, certifying that the site is, or can be made to be geologically stable

[Amended 1987, Ord. 2331; 1989, Ord. 2411; 2006, Ord 3097]

22.102.070 - South Shore

The following standards apply within the South Shore area of Lake Nacimiento as shown in Figure 102-5, to the land use categories and specific areas listed.

A. Areawide standards.

1. **Applicability.** The standards of this Subsection apply to all lands within the South Shore area as applicable, regardless of the land use category applicable to any particular site.
2. **Road access for new subdivisions.** Land divisions proposing parcels of less than 80 acres or densities exceeding 80 acres per unit shall not be approved unless the access road between the property and the nearest County-maintained road satisfies—at minimum—the access standards of the Uniform Fire Code as adopted by the County, or will be improved as a condition of the land division to satisfy those standards. [Amended 1990, Ord. 2488.]

B. Open Space (OS). The following standards apply within the OS land use category.

1. **Limitation on use and permit requirement.** Land uses shall be limited to crop production and grazing, fisheries, hunting, riding and hiking trails, in compliance with the land use permit requirements of Section 22.06.030. Primitive trail-side camps, walk-in picnic areas, and picnic areas accessible by boat may be allowed subject to Conditional Use Permit approval. Clearing and grading shall be minimal.
2. **Public lands.** Public lands shall be retained in public ownership with a minimum parcel size of 640 acres.

C. Recreation (REC). The following standards apply within the REC land use category.

1. **Limitation on use.** Land uses shall be limited to crop production and grazing, marinas, rural recreation and camping, recycling collection stations, animal keeping, single-family dwellings, mobile homes, and fisheries and game preserves, in compliance with the land use permit requirements of Section 22.06.030.

2. **Application content - Development Plans.** Where Conditional Use Permits are required for residential projects and all uses under the definitions of hotels and motels, RV parks, religious facilities, and rural recreation and camping, the Conditional Use Permit application shall include documentation of the adequacy of water, sewerage, drainage, fire and police services.
3. **Campground standards.** Public campgrounds and picnic areas shall comply with the following requirements.
 - a. **Permit requirement.** Campgrounds shall require Conditional Use Permit approval.
 - b. **Site design standards.** Proposed campgrounds and alterations to existing campgrounds shall be designed in compliance with the following standards.
 - (1) Proposed facilities shall be planned for average rather than peak use, for more efficient year-round utilization.
 - (2) Trailer sites shall be concentrated in small clusters at a density of 10 units per acre, with intervening open space.
 - (3) Tent sites shall be developed at a maximum density of four units per acre.
 - (4) Picnic sites shall be developed at a maximum density of eight units per acre.
 - (5) Campsites shall be designed for maximum privacy; clearing of vegetation and grading shall be minimal.
4. **Residential density and minimum lot size.** Residential projects may be approved with minimum lot sizes of 6000 square feet only when an overall density of one unit per 2½ acres is maintained.
5. **Parking facilities.** New parking areas shall be dispersed into small clusters separated by landscaped areas.

[Amended 1989, Ord. 2399.]

D. Residential Rural (RR). The following standards apply within the RR land use category.

1. **Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except animal facilities, farm equipment and supplies, nursery specialties, grocery stores, and restaurants.
2. **Land division standards - North of Towne Creek.** New land divisions shall comply with the following standards.
 - a. New land divisions shall be designed in compliance with the cluster division provisions of Chapter 22.22.

- b. Building sites shall be located on soils best suited for septic system use.
- c. Provide coordinated interior streets.
- d. Provide lake access for the involved property owners through roads, easements, or common open space areas.
- e. Serve clustered lots by a common water source rather than individual wells.
- f. Common areas shall be owned and maintained by property owners groups.
- g. Locate new building sites on slopes less than 20 percent.

[Amended 1989, Ord. 2399.]

E. Rural Lands (RL). The following standards apply within the RL land use category.

1. **Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except residential care, manufacturing and processing activities, correctional institutions, ag processing, and farm equipment and supplies, which are not allowed.
2. **Minimum parcel size.** The minimum size for new parcels portions of Sections 2, 11 & 12 of T26S, R9E, MD&M, identified as Assessor's Parcel Number 80-054-01, is 80 acres instead of the minimum otherwise required by this Title.

[Amended 1983, Ord. 2122; 1989, Ord. 2399.]